

REMARKS

Claims 1, 3-9 and 11 are pending in this application with claims 1 and 11 being amended by this response. Claims 1 and 11 have been amended for purposes of clarity and support for the amendments to claims 1 and 11 are found throughout the specification and shown clearly in the drawings. Thus, it is respectfully submitted that no new matter is added by these amendments.

Rejection of Claims 1, 3- 9 and 11 under 35 U.S.C. 112, second paragraph

Claims 1, 3-9 and 1 are rejected under 35 USC 112, second paragraph as being indefinite. Claims 1 and 11 have been amended in accordance with the comments in the Office Action to recite that “said first coupling device is engaged with said first and second support plates” and the second coupling device prevents “radial displacement of said first support plate relative to said second support plate”. Additionally, claim 7 has been amended to recite that the second support plate is mounted to the axle via a gearbox. It is respectfully submitted that no new matter is added by these amendments. In view of the above remarks and amendments to claims 1, 7 and 11 it is thus further respectfully submitted that this objection is satisfied and should be withdrawn.

Rejection of Claims 1, 3-6 and 9 under 35 U.S.C. 102(b)

Claims 1, 3-6 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Codd.

The present claimed arrangement provides a wheel assembly for a vehicle. The assembly includes a wheel rim adapted to support a tire, a first support plate mounted to the rim and a second support plate for mounting to an axle. At least one first coupling device is connected between the first and second support plates for transferring torque between the first and second support plates. When the first coupling device is engaged

with the first and second support plates, prevention of radial displacement of the first support plate relative to the second support plate is independent of the at least one first coupling device. At least one second coupling device is connected between the first and second support plates for securing the first and second support plates together. The second coupling device prevents radial displacement of the first support plate relative to the second support plate. When the radial forces exceed a predetermined level the or each second coupling device is incapable of transferring radial forces from the first support plate to the second support plate and the or each second coupling device enables removal of the wheel rim and the first support plate from the second support plate. Independent Claims 1 and 11 each include features similar to those discussed above and thus all arguments presented hereinbelow apply to each of these claims.

Claims 1 and 11 have been amended to clarify that when the radial forces exceed a predetermined level the or each said second coupling device is incapable of transferring radial forces, from said first support plate to said second support plate. The claim has been further amended to clarify that the or each second coupling device enables removal of the wheel rim and said first support plate from said second support plate.

Codd describes an apparatus for arranging a pair of relatively movable tires such that they automatically adjust themselves to positions at which both tires of the wheel have their treads on the ground surface at all times. The apparatus includes a disk wheel, at the periphery of which are arranged a plurality of spaced ball and socket fulcrums, each bearing head including a flanged bearing cap. The rim of each wheel is mounted to a respective ball of each of the ball and socket fulcrums. A slot extending through the disk wheel for receiving a tapered key. The tapered key rests against balls on either side of a ball and socket fulcrum to prevent pivoting of the ball and socket fulcrum and the rim and wheels supported thereby.

Unlike the present claimed invention, Codd neither discloses nor suggests "at least one second coupling device enables removal of the wheel rim and said first support plate

from said second support plate" as recited in claim 1. The Office Action equates the tapered key 31 of Codd to the second coupling device of the claimed arrangement. Applicant respectfully disagrees. The tapered key of Codd does not enable removal of the wheel rim and first support plate from the second support plate as in the claimed arrangement. Rather, the tapered key prevents movement of the rim rings 20 and 21 and the parts supported thereby. The Office Action further equates the rim ring 21 and disk wheel 3 of Codd to the first support plate 21 and the second support plate, respectively of the claimed apparatus. However, the tapered key of Codd only prevents movement of the rim ring relative to the disk wheel. Nowhere in Codd is there a disclosure or suggestion of "the or each second coupling device enables removal of the wheel rim and said first support plate from said second support plate" as recited in claim 1 of the present arrangement.

Codd also neither discloses nor suggests "at least one second coupling device, connected between said first and second support plates for securing said first and second support plates together," as recited in claim 1 of the present arrangement. As mentioned above, the Office Action equates the tapered key 31 of Codd to the second coupling device of the present claimed invention. The tapered key of Codd is not connected between the rim ring and disk wheel. Rather, the tapered key of Codd is driven into a slot extending through the disk wheel and is positioned against the ball and socket fulcrum to prevent pivoting of the ball and socket fulcrum and thus preventing movement of all parts supported thereby. The Office Action equates ball and socket fulcrum to the first coupling device of the present claimed arrangement and NOT to the first support plate. The rim ring 21 extends from the ball and socket fulcrum and does not interact with the tapered key. Thus, Codd does not discloses nor suggest "at least one second coupling device ... securing said first and second support plates together," as recited in claim 1 of the present arrangement. In fact, the arrangement of Codd does not permit the "at least one second coupling device ... securing said first and second support plates together," as recited in claim 1 of the present arrangement as the tapered key of Codd is simply a wedge extending through a slot in the rim ring and only creates a frictional engagement with the ball and

socket fulcrum.

As claims 3-6 and 9 are dependent on claim 1, it is respectfully submitted that these claims are patentable for the same reasons as claim 1 discussed above. It is thus further respectfully submitted that this rejection is satisfied and should be withdrawn.

Rejection of Claims 1, 7- 9 and 11 under 35 U.S.C. 102(b)

Claims 1, 7-9 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Brown.

Brown describes an adaptor assembly for removably attaching a second traction wheel to each of the conventional driven wheels of a material-handling implement. The adaptor assembly has a mounting assembly which is semi-permanently mounted to the driven wheel and a wheel assembly that is semi-permanently attached to the traction wheel. An anchor member removably attaches the wheel assembly to the mounting assembly. An anchor plate of the mounting assembly are attached to the driven wheel and spaced from the driven wheel by spacers so that the anchor plate is flush with the outer edge of the tire. The wheel assembly includes a spacer sleeve for spacing the traction wheel a sufficient distance from the driven wheel. An anchor member extends through an aperture in the rim of the traction wheel and engages a central hole in the anchor plate for fastening portions of the anchor member together.

However, Brown neither discloses nor suggests "at least one first coupling device, connected between said first and second support plates, for transferring torque between said first and second support plates and, when said first coupling device is engaged with said first and second support plates, prevention of radial displacement of the first support plate relative to the second support plate is independent of said at least one first coupling device" as recited in claim 1 of the present claimed arrangement. In Brown, when the pins 68, equated in the Office Action to the first coupling device, is engaged with the openings

44 on the anchor plate, equated in the Office Action to the second support plate, radial displacement is prevented. Thus, contrary to the present claimed arrangement, in Brown, prevention of radial displacement is directly dependent on the pins (first coupling device). Thus, Brown is fundamentally different from and not equivalent to preventing radial displacement independently of the first coupling device when the first coupling device is engaged with the first and second support plate as in the claimed arrangement. Thus, Brown neither discloses nor suggests "at least one first coupling device, connected between said first and second support plates, for transferring torque between said first and second support plates and, when said first coupling device is engaged with said first and second support plates, prevention of radial displacement of the first support plate relative to the second support plate is independent of said at least one first coupling device" as recited in claim 1 of the present claimed arrangement.

Additionally, Brown neither discloses nor suggests "at least one second coupling device, connected between said first and second support plates, for securing said first and second support plates together, said second coupling device preventing radial displacement of said first support plate relative to said second support plate" as recited in claim 1 of the present arrangement. The Office Action identifies the adaptor assembly 16 of Brown as the second coupling device of the claimed apparatus. However, Brown is silent as to what encompasses the adaptor assembly 16 other than to state it is provided to mount a second traction wheel to each driven wheel. Therefore, the adaptor assembly 16 not only is connected between the "first and second support plates" for securing them together, it includes what the Office Action asserts as the equivalent structures to the "first and second support plates". Thus, Brown cannot disclose or suggest that the "at least one second coupling device, connected between said first and second support plates, for securing said first and second support plates together, said second coupling device preventing radial displacement of said first support plate relative to said second support plate" as recited in claim 1 of the present arrangement.

Furthermore, Brown neither discloses nor suggests that "when the radial forces exceed a predetermined level the or each said second coupling device is incapable of transferring radial forces, from said first support plate to said second support plate and the or each second coupling device enables removal of the wheel rim and said first support plate from said second support plate" as recited in claim 1 of the present arrangement. It is not seen how the adaptor assembly, encompassing all elements for mounting a second traction wheel to each drive wheel is able to, when the radial forces exceed a predetermined level, remove the wheel rim and first support plate from the second support plate. Additionally, this teaches against the objective of Brown which is to attach an additional traction wheel to the drive wheel for providing traction when the truck is operated on nonpaved and inclined surfaces. Brown is not concerned with radial forces exceeding a predetermined level and removing the wheel rim and first support plate when such radial forces exist. Brown is designed to operate in certain difficult conditions to provide traction to drive a truck when the drive wheels of the truck are not able. Thus, Brown neither discloses nor suggests that "when the radial forces exceed a predetermined level the or each said second coupling device is incapable of transferring radial forces, from said first support plate to said second support plate and the or each second coupling device enables removal of the wheel rim and said first support plate from said second support plate" as recited in claim 1 of the present arrangement.

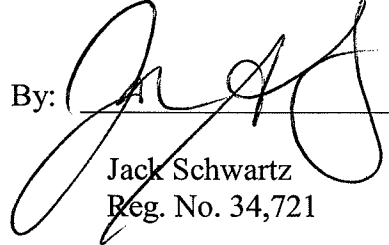
In view of the above remarks, it is respectfully submitted that the present claimed arrangement as claimed in claim 1 is not anticipated by Brown. Claim 11 includes features similar to those of claim 1 discussed above and thus is patentable for the same reasons discussed above regarding claim 1. Claims 7-9 are dependent on claim 1 and thus are also patentable for the same reasons discussed above regarding claim 1. It is thus respectfully submitted that this rejection is satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the

Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No additional fee is believed due. However, if an additional fee is due, please charge the fee to Deposit Account 50-2828.

Respectfully submitted,
Alan Richard Reese

By: 
Jack Schwartz
Reg. No. 34,721

Jack Schwartz & Associates, PLLC
1350 Broadway, Suite 1510
New York, NY 10018
Tel. No.: (212) 971-0416
Fax No.: (212) 971-0417
March 17, 2009